

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

August 24, 1994

Via Federal Express

Marsha A. Adams
5HMS-5J Responsible Party Search
Section
U.S. Environmental Protection
Agency Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

Re: Sauget Area I
Sauget, Illinois

RECEIVED
AUG 25 1994

SUPERFUND PROGRAM
MANAGEMENT BRANCH

Dear Ms. Adams:

Monsanto Company ("Monsanto") hereby submits its initial response to the U.S. Environmental Protection Agency (EPA) Request for Information Pursuant to Section 104(e) of CERCLA for the Sauget Area I in Sauget, Illinois, dated July 13, 1994. (See Attachment 1). Monsanto received the information request on July 18, 1994, and by letter dated July 28, 1994 (See Attachment 2), made arrangements for this initial response on several subject areas as identified in the referenced correspondence.

In response to the EPA's information request, we disagree with EPA's overly broad assumption of authority which it asserts is conferred by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) 42 U.S.C. § 9601, et. seq. Monsanto also objects to the overly broad scope of the questions and definitions included within EPA's information request and to the unreasonable time period covered--dating back almost a century.

However, consistent with Monsanto's policy of cooperation with government agencies, we are responding to the pertinent, non-privileged portions of EPA's information request. At the same time we reserve all objections and defenses to EPA's statement of authority or the scope of information requested.

In accordance with our July 28, 1994 correspondence, we are, at this time, providing information on the following initial matters:

3. Other Potentially Responsible Parties (PRPs). Monsanto has limited information as to the identity of other PRPs. Its information, to the extent it exists, is consistent with the information obtained pursuant to FOIA and discussions in the E&E study. (See Attachment 6.)

In light of the age of the alleged transactions involved and the broad scope of information sought by EPA, Monsanto must request the assistance of the EPA in locating additional information responsive to EPA's information request concerning Area I. Accordingly, if EPA has evidence or information linking Monsanto to Area I, please provide it as soon as possible. To the extent that this request must be treated as being made pursuant to FOIA, please do so. Failure to provide such information may inhibit Monsanto's ability to fully identify and locate sources of information responsive to the EPA's information request.

If you have any questions concerning Monsanto's position in this matter, please contact the undersigned at 314/694-1278.

Very truly yours,



Stephen P. Krchma
Environmental Counsel

Attachments

cc (by mail): Thomas J. Martin
Assistant Regional Counsel
U.S. EPA Region V (w/o Attachments)

Freedom of Information Officer
Region V (w/o Attachments)